



EdStart - Specialist Education Ltd.

SAFER RECRUITMENT POLICY

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This policy has been developed to embed safer recruitment practices and procedures throughout EdStart and to support the creation of a safer culture by reinforcing the safeguarding and well-being of children and young people in our care. This policy complies with guidance outlined in *'Keeping Children Safe in Education 2021 part 3'*.

This policy reinforces the conduct outlined in the Government Office North West *'Guidance for Safer Working Practice for Adults who Work with Children and Young People'* as well as the organisation's whistle blowing policy all staff are expected to be familiar with. All successful candidates for paid employment or voluntary placements will be made aware of these documents.

This policy is an essential element in creating and maintaining a safe and supportive environment for all young people, staff and others within EdStart and aims to ensure both safe and fair recruitment and selection of all staff and volunteers by:

- attracting the best possible candidates/volunteers to vacancies
- deterring prospective candidates/volunteers who are unsuitable from applying for vacancies
- identifying and rejecting those candidates/volunteers who are unsuitable to work with children and young people

EdStart is committed to using disciplinary procedures that deal effectively with those adults who fail to comply with EdStart's safeguarding and child protection procedures and practices.

As an employer we are under a duty to refer any allegation of abuse against a member of staff to the Local Authority Designated Officer within one working day of the allegation being made. A referral will be made if a manager, teacher or member of staff (including volunteers) has:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children

As an employer we are under a duty to refer to the Disclosure and Barring Service (DBS), any member of staff who, following disciplinary proceedings, is dismissed because of misconduct towards a pupil and we may refer any concerns we have before the completion of this process.

HR Manager will have responsibility to check for updated relevant information about staff and volunteers every 2 years. EdStart will expect all staff and volunteers to register with the DBS Update Service. This will be a phased change from January 2014 for existing staff/volunteers, all new staff appointed will be required to register, the cost for this will be reimbursed by EdStart.

EdStart reserves the right to carry out a 'DBS Status Check' at more frequent intervals should there be concerns raised about an individual. These additional checks will be carried out in line with DBS guidelines and only with the full knowledge of the individual concerned.

2. ROLES AND RESPONSIBILITIES

The Proprietors will:

- Ensure EDSTART has effective policies and procedures in place for the safe and fair recruitment and selection of staff and volunteers in accordance with DfE guidance and legal requirements
- Monitor the organisation's compliance with them
- Ensure that appropriate staff and board members have completed safer recruitment training

The Directors will:

- Ensure that the organisation operates safe and fair recruitment and selection procedures which are regularly reviewed and up-dated to reflect any changes to legislation and statutory guidance
- Ensure that all appropriate checks have been carried out on staff and volunteers
- Monitor any contractors and agencies compliance with this document
- Promote the safety and wellbeing of children and young people at every stage of this process

3. INVITING APPLICATIONS

All advertisements for posts of regulated activity, paid or unpaid, will include the following statement:

"EdStart is committed to safeguarding children and young people. All post holders are subject to appropriate vetting procedures and a satisfactory Disclosure and Barring Service Enhanced check".

All applicants will receive a pack containing the following when applying for a post:

- A statement of EdStarts commitment to ensuring the safety and wellbeing of children and young people
- Job description and person specification
- Safer Recruitment Policy
- The selection procedure for the post
- An application form

Prospective applicants must complete, in full, and return a signed application form.

Candidates submitting an application form completed on line will be asked to sign the form if called for interview.

A curriculum vitae will not be accepted in place of a completed application form.

4. IDENTIFICATION OF THE RECRUITMENT PANEL

At least one member of the Selection and Recruitment Panel will have successfully completed training in safer recruitment.

5. SHORTLISTING AND REFERENCES

Candidates will be short listed against the person specification for the post.

Two references, one of which must be from the applicant's current/most recent employer, where practicable references will be taken up before the selection stage so that any discrepancies may be probed during this stage of the procedure.

References will be sought directly from the referee, and where necessary, will be contacted to clarify any anomalies or discrepancies. Detailed written records will be kept of such exchanges.

Where necessary, previous employers who have not been named as referees may be contacted in order to clarify any such anomalies or discrepancies. Detailed written records will be kept of such exchanges.

Referees will be asked specific questions about the following:

- The candidate's suitability to work with children and young people. Candidates with history of safeguarding investigation must be looked into.
- Any disciplinary warnings, including time-expired warnings, relating to the safeguarding of children and young people
- The candidate's suitability for the post

Reference requests will include the following:

- Applicants current post and salary
- Sickness record
- Attendance record
- Disciplinary record

All new appointments are subject to satisfactory references and vetting procedures, DBS clearance and approval by contract partners as appropriate. References will be verified via telephone following written reference. For Proprietors, Governors and Head

Teacher, we complete a section 128 direct check and all other staff members receive a prohibition check.

6. Online Searches

- Shortlisted candidates will be informed that the school may carry out online checks as part of the due diligence process and be asked to support this.
- Only Information which is available to anyone through the usual search engines will be used or on named social media sites where the identity is apparent and public.
- Online searches will only be used on candidates which are shortlisted
- If anything is found of a concern it will be discussed at the Interview and may be consulted with a HR consultant to support with the next steps.

7. INVITATION TO INTERVIEW

Candidates called to interview will receive:

- A letter/e-mail confirming the interview and any other selection techniques
- Details of the interview day
- Details of any tasks to be undertaken as part of the interview process

8. THE SELECTION PROCESS

Selection techniques will be determined by the nature and duties of the post but all vacancies will require an interview of short-listed candidates.

Interviews will always be face-to-face. Candidates will be required to:

- Explain any gaps in employment
- Explain satisfactorily any anomalies or discrepancies in the information available to the panel
- Declare any information that is likely to appear on the DBS disclosure
- Demonstrate their ability to safeguard and protect the welfare of children and young people.

9. EMPLOYMENT CHECKS

An offer of appointment will be conditional, and all successful candidates will be required to:

- Provide proof of identity
- Complete an enhanced DBS application and receive satisfactory clearance
- Provide proof of professional status
- Provide actual certificates of qualifications
- Complete a confidential health questionnaire
- Provide proof of eligibility to live and work in the UK

All checks will be:

- Confirmed in writing
- Documented and retained on the personnel file
- Recorded on the Single Central Record
- Followed up if they are unsatisfactory or if there are any discrepancies in the information received.

Employment will commence subject to all checks and procedures being satisfactorily completed.

10. INDUCTION

All staff and volunteers who are new to the organisation will receive information on the safeguarding policy and procedures and guidance on safe working practices as part of their induction training.

All successful candidates will undergo a period of monitoring and will:

- Meet regularly with their line manager
- Attend any appropriate training

11. SUPPLY STAFF

EdStart will only use those agencies which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. Any information disclosed as part of the DBS check will be treated confidentially.

EdStart will carry out identity checks when the individual arrives.

12. PERIPATETIC STAFF

EdStart will require that all necessary checks and DBS requirements have been satisfactorily completed for peripatetic staff.

APPENDIX 1

Policy Statement on the Recruitment of Ex-offenders

It is a requirement of the DBS Code of Practice that all Registered Bodies must treat Disclosure applicants who have a criminal record fairly and do not discriminate because of a conviction or other information revealed. It also obliges Registered Bodies to have a written policy on the recruitment of ex-offenders; a copy of which can be given to Disclosure applicants at the outset of the recruitment process.

To help EdStart to meet this requirement the following policy statement has been produced.

This policy statement also forms part of the EdStart Equal Opportunities policy.

Policy Statement

- As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, EdStart complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly.
- It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.
- EdStart is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.
- A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.
- Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within EdStart and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- Unless the nature of the position allows EdStart to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

- We ensure that all those in EdStart who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position.
- Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- We make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.
- We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar you from working with EdStart. This will depend upon the nature of the position and the circumstances and background to your offence.

Appendix 2

EdStart Criminal Convictions Declaration Form

POST		
SURNAME		FORENAME(S)
CURRENT ADDRESS		
PREVIOUS NAME(s) AND ADDRESS(es) FROM AGE 14 – Continue on a separate sheet if necessary		
NAME	ADDRESS	DATE FROM-TO
DECLARATION		
Please read the guidance notes before answering the declaration and tick the		

appropriate statement

a) Have you ever been convicted of a criminal offence? ☐ YES ☐ NO

b) Do you have a court appearance pending or have you been charged by the Police for a criminal offence? ☐ YES ☐ NO

If you answered YES to a) or b) above, please supply the following details:

DATE	COURT	DETAILS OF OFFENCE	SENTENCE

I CERTIFY THAT:

I have read the Guidance Notes overleaf and have not withheld information that may affect my application for appointment. I understand that false information or omissions may lead to retracting/withdrawing any offer of employment and if employed may lead to my dismissal. The information supplied above may be verified by EdStart.

Data Protection Act 1998

I consent to the information which I have provided on this form being used by EdStart in the decision making process which will include requesting a (DBS) check for all posts.

If you are appointed to a post, this form will be kept in your personal file. If you are unsuccessful, the form will be retained, with the papers relating to the vacancy and kept for 6 months before being destroyed.

Signature

Date

REHABILITATION OF OFFENDERS ACT 1974 (EXCEPTIONS) ORDER AS AMENDED

GUIDANCE NOTES FOR CRIMINAL CONVICTIONS DECLARATION FORM

Please read this carefully

1. If you need help or advice in completing this form, you can seek advice from a suitable person e.g. Citizens Advice Bureau, or Trade Union Representative
2. Every candidate invited to attend for interview or offered any position must complete this form whether they have a previous conviction or not prior to commencing employment

3. The Code of Practice on the use of disclosure information requires EdStart to maintain complete confidentiality to ensure that the information provided and released will be used fairly in relation to recruitment and employment

4. For candidates who have previously been convicted of a criminal offence:

The nature of the post or voluntary position for which you have applied involves substantial opportunity for access to children and is exempt from the Rehabilitation of Offenders Act 1974.

You are required therefore, to declare any pending prosecutions or criminal convictions you may have, even if they would otherwise be regarded as “spent” under this Act, and any cautions or bind-overs.

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